

Massachusetts Office on Disability

The Executive Office for Administration and Finance
Commonwealth of Massachusetts



Performance Report
Calendar Year 2013

Myra Berloff

Director

A MESSAGE FROM THE DIRECTOR

The Massachusetts Office on Disability (MOD) was created in 1981 under [MGL Chapter 6, Section 185](#), for the purpose of bringing about full and equal participation of people with disabilities in all aspects of life. To that end, MOD's role as the Americans with Disabilities Act (ADA) Coordinator for the Executive Branch was reaffirmed under Executive Order 526 in February 2011. MOD works in various ways in order to meet our mission.

Over the past year, MOD partnered with colleagues throughout state government to ensure that people with disabilities are included as we implement state services, programs and activities. MOD has:

- Advanced the Governor's goal of increased affordable and accessible housing in the Commonwealth. In 2013, MOD partnered with DCAMM, the Department of Housing and Community Development and the Executive Office of Health and Human Services to conduct the first Universal Design Conference directed at the housing industry;¹
- Been disability technical advisor to the MA Department of Transportation as they've put forward their ADA transition plan and developed their curb cut inventory;²
- Served as the disability technical advisor to the Division of Capital Asset Management and Maintenance (DCAMM) as it moves forward with Integrated Facilities Management and as a member of its accessibility team as we look at all our state buildings;
- Provided input to the Massachusetts Emergency Management Agency (MEMA) for its Mass Care Shelter Toolkit, which incorporates full access for people with disabilities in state-initiated shelters;
- Worked on major software upgrades with the Information Technology Division, the Human Resources Division, the Registry of Motor Vehicles, and the Department of Revenue to ensure accessibility of our state implemented software programs; and

¹ For more information on Universal Design, please see: <http://www.humancentereddesign.org/universal-design>

² A "curb cut" or "curb ramp" is a short ramp cutting through a curb or built up to it which allows an individual to more easily transition from a roadway to a curbed sidewalk and vice versa.

As an agency of the Executive Office of Administration and Finance, the Massachusetts Office on Disability's (MOD) goals reflect and bolster the commitments of A&F to bring about better government, better performance, better health care and better finance.

This report was developed pursuant to Executive Order 540 which calls on state government to develop and publish strategic reports. The Massachusetts Office on Disability's 2013 Performance Report describes progress toward the goals set out in its 2013-2015 Strategic Plan.

**Please send feedback
regarding this report to:
Allan.Motenko@state.ma.us**

- Partnered with ANF's Office of Access and Opportunity to ensure that the interests of people with disabilities are not overlooked as we move forward with shared services.

Along with these major initiatives, MOD staff participated in over 200 public awareness activities promoting full inclusion of people with disabilities and conducted training for more than 3,500 people throughout the Commonwealth; this included training MBTA police, judges, court officers, municipal ADA coordinators, as well as architects, builders, and people with disabilities. Finally the agency provided direct advocacy to over 10,500 people who called asking for assistance.

MOD's efforts have been recognized by a variety of organizations this past year:

- The Federal Department of Education, Rehabilitation Services Administration continued MOD's Client Assistance Program grant;
- MOD was awarded a national honorable mention award by Federal Emergency Management Agency (FEMA) for its work on personal preparedness for people with disabilities; and
- MOD continues to partner with the Office of Diversity and Equal Opportunity on the Governor's Model Employer Initiative that was recognized by the National Governor's Association.

This work and recognition was accomplished with 12 full time staff. We look forward to continuing our work in 2014 and beyond.

Myra Berloff
Director
Massachusetts Office on Disability

MISSION

The purpose of the Massachusetts Office on Disability (MOD) is to bring about full and equal participation of people with disabilities in all aspects of life. It works to assure the advancement of legal rights and for the promotion of maximum opportunities, supportive services, accommodations and accessibility in a manner which fosters dignity and self-determination. MOD is the Commonwealth's Americans with Disabilities Act Coordinating Agency.

VISION

We strive to create a more equitable Commonwealth, one in which persons with disabilities face neither architectural nor programmatic accessibility barriers in daily living or discrimination due to their disability.

Goal 1: Better state and local government compliance with disability policy

MOD continued to work collaboratively with colleagues across state government to enhance compliance with state and federal disability laws.

At the direction of the Legislature, MOD partnered with the Executive Office of Elder Affairs to study the impact of the Massachusetts Bay Transportation Authority's July 2012 fare increase on users of The RIDE paratransit service. To conduct the study, MOD and Elder Affairs developed, conducted, and analyzed the results of a statistically significant survey of RIDE passengers. The survey found that there were extreme financial and social impacts as a result of the fare increase. In light of the survey results, the MBTA decided to roll-back the fare for the RIDE by \$1.00.

With MOD as a partner in the development of the MassCare shelter toolkit, MEMA has made a commitment to

ensure that all state-operated regional shelters are accessible and welcoming to all of our citizens. MEMA has released the toolkit and it is hoped that it will be a model used by not only the state, but also by all municipalities. MOD continues to work with MEMA as they review other policies and procedures.

Over the past year, MOD sat as the disability-related technical advisor to MassDOT. MassDOT published a draft of its ADA Transition Plan and developed a tablet-based software program that is accessible and will be used to survey the ~100,000 state-owned curb cuts. Additionally, MassDOT created an accessible open meeting policy for use at all of their public meetings and has extended this requirement to the Metropolitan Planning Organizations. There is also a commitment by MassDOT to offer a fully accessible website. While work continues at MassDOT, there has been tremendous acceptance by the Secretariat of the need to ensure full accessibility for people with disabilities.

In much the same way that MOD has served as a technical advisor to MEMA and MassDOT, MOD has also been at the table as a resource to DCAMM as it assumes responsibility for buildings under the Integrated Facilities Management initiative. Accessibility to all state programs, services and activities is a commitment that DCAMM has made in its policies and will be fully incorporated as it undertakes the future responsibility of these buildings.

MOD is regularly asked to conduct training on disability rights and responsibilities for state and municipal officials throughout Massachusetts. This year, MOD received a new, unique request for training from the MBTA Police Department. Over the course of twelve weeks in the fall, every MBTA Police Officer spent a full morning exploring how to provide reasonable accommodations to individuals with disabilities while also ensuring public safety. Additionally, MOD's training activities this year reached beyond the Executive Branch with a request for assistance from the Trial Court. MOD

conducted half a dozen ADA Coordinator trainings across Massachusetts for front-line court personnel representing nearly every courthouse in the state. These sessions provided Coordinators with the opportunity to learn more about the laws applicable to their position, apply their knowledge to real examples, and connect with their peers.

MOD Goal #2: Better engagement with the disability community

Commissions on Disability are the touchstone within a municipality to address local disability-related issues. MOD regularly provides in-person technical assistance to the over 180 Commissions in Massachusetts. In the past year, MOD met with 37 Commissions from Pittsfield to Provincetown.

For the sixth year in a row, the Executive Office of Public Safety and Security awarded MOD a federal Homeland Security grant to conduct personal preparedness outreach sessions across the Commonwealth. Over the past year, MOD

conducted 29 sessions and met with 1,273 people. The program's success was awarded a National Honorable Mention by FEMA for its outstanding work of bringing individuals with disabilities and first responders together.

MOD Goal #3: Better support and advocacy for people with disabilities

MOD's Client Services Unit, which includes 5 staff members, assisted over 5,000 callers with technical assistance and advocacy regarding disability rights. As the impact of the recession has continued, the nature of callers' concerns most often requires an in-depth level of assistance.

The federally-mandated Client Assistance Program (CAP), which operates out of MOD, ensures the uninterrupted flow of approximately 48 million dollars in federal vocational rehabilitation funds. In 2013, the U.S. Department of Education's Rehabilitation Services Administration once again acknowledged the work performed by MOD by renewing our grant. CAP Advocates ensure that citizens who qualify for vocational rehabilitation




services understand their rights and responsibilities, and work with them to resolve their concerns.



While MOD has been working to launch a new database for tracking incoming calls and systemic concerns, it has taken much longer than expected to implement. Even though the product was chosen due to assurances of its accessibility, collaboration with the software developer continues with regard to making the program accessible for users of assistive technology. MOD hopes that the database will be ready for use in the first half of 2014.








MOD Goal #4: Better customer service



MOD received overwhelmingly positive feedback about its services from members of the public this year. More than 95% of individuals who attended an MOD-led training or contacted the agency for assistance were pleased with their interaction.

PERFORMANCE DASHBOARD

STATUS LEGEND						
On Target (>= Target)		Close-to-Target (>= 80-99%)		Off Target (<80% of Target)		Not Applicable (N/A) -
Note: Descriptions for performance measures can be found on page 13						

GOAL	MEASURE	CY2013	CY2012	TREND	TARGET	STATUS	COMMENTS
A&F Goal: Better Performance							
Better state and local government compliance with disability policy	# of instances of technical assistance provided to the ADA Coordinators, Executive Branch managers, and/or legislative staff regarding their disability-related responsibilities	272	83	STABLE	-		Technical assistance is provided on an as-requested basis. Better tracking of this measure has yielded a more accurate count in 2013 vs. 2012.
	# of systemic and/or critical issues addressed that result in enhanced compliance with disability policy	29	-	-	-		Data not tracked previously. Critical issues are those arising from government operations that would disenfranchise persons with disabilities and/or be likely to spur litigation against the Commonwealth. The frequency of such issues cannot be predicted. Furthermore, in light of the work done by this Administration, a decrease in the quantity of this measure is a good thing.

GOAL	MEASURE	CY2013	CY2012	TREND	TARGET	STATUS	COMMENTS
	# of trainings or information sessions conducted for state and local government stakeholders	22	11	IMPROVING	12		This measure is new and represents a consolidation of previously articulated training measures. This measure best captures the multitude of “internal” training that MOD conducts.
	# of board and task forces meetings attended by MOD	242	150	STABLE			Dependent on other state agencies who request assistance from MOD.
	# of instances where MOD is a resource to the Executive Branch on Information Technology-related matters	40	-	-	-		Assistance provided on ad hoc basis and cannot be predicted.
A&F Goal: Better Government							
Better engagement with the disability community	# of Community Access Monitor Trainings held	3	3	STABLE	3		
	# of people trained at Community Access Monitor Trainings	116	81	STABLE	100		
	# of Emergency Preparedness meetings held	29	24	STABLE	15		
	# of people included in Emergency Preparedness meetings	1,273	931	STABLE	700		

GOAL	MEASURE	CY2013	CY2012	TREND	TARGET	STATUS	COMMENTS
	# of site visits with accompanying reports produced	31	21	STABLE	20		
	# of Commission on Disability Meetings attended to provide in-person technical assistance	37	14	STABLE	20		Meetings take place throughout the state and typically are held at night.
Better support and advocacy for people with disabilities	# of information and referral services provided	5098	5208	STABLE	-	—	MOD cannot set a target for the quantity and nature of incoming calls.
	# of instances in which advocacy is performed to resolve disability-related denial of service issues and/or disability discrimination	323	344	STABLE	-	—	MOD cannot set a target as it is dependent upon the nature of incoming calls.
	# of client interactions that resulted in resolution of a systemic accessibility barrier external to state government	-	-	-	-	—	Due to the technological limitations of our client-management software, we are not able to track this information. We hope to launch a new database in early 2014, which will allow us to capture this data. Additionally, the quantity of this measure is dependent upon the calls that come in.

GOAL	MEASURE	CY2013	CY2012	TREND	TARGET	STATUS	COMMENTS
	# of referral services and advocacy performed to assist clients of the Commonwealth's vocational rehabilitation agencies through the federally-mandated Client Assistance Program	2481	2587	STABLE	-	—	Federal FY13 vs. Federal FY12. MOD cannot set a target as it is dependent upon the quantity of incoming calls.
	# of outreach sessions for Client Assistance Program at various entities that work with Vocational Rehabilitation (VR) consumers	333	150	IMPROVING	110	●	Federal FY13 vs. Federal FY12.
Better customer service	% of performance evaluations that are positive from all trainings conducted	96%	96%	STABLE	100%	▼	Although perfection is a demanding standard to meet, MOD believes that it should be the target.
	% of performance evaluations that are positive from all clients for whom advocacy is performed	95%	85%	IMPROVING	100%	▼	Although perfection is a demanding standard to meet, MOD believes that it should be the target.

GOAL	MEASURE	CY2013	CY2012	TREND	TARGET	STATUS	COMMENTS
	% of new callers that receive a return phone call within 24 business hours	-	-	-	100%	—	This is a new metric, which reflects MOD's existing policy. Due to the technological limitations of our client-management software, we are not able to track this information right now. However, we hope to launch a new database in 2014, which will allow us to capture this data.

NOTEWORTHY CHANGES, ADDITIONS OR DELETIONS

GOAL	ACTION OR MEASURE	CHANGE, ADDITION OR DELETION EXPLANATION
Better state and local government compliance with disability policy	# of trainings and information sessions conducted for state and local government stakeholders	Addition: Replacing several training-related measures listed in MOD's strategic plan, this measure more accurately encompasses the full breadth and depth of training offered to state and local government stakeholders. By utilizing a broader measure, MOD ensures that it is capturing, tracking, and reporting all of its intra-governmental training activities.
	# of trainings conducted in FY13 for newly-designated or otherwise qualified ADA Coordinators	Deletion: The information provided by this measure is now captured by the new measure of "# of trainings or information sessions conducted for state and local government stakeholders."
	# of trainings facilitated per year for ADA Coordinators and other senior managers within state government regarding changes in disability law	Deletion: The information provided by this measure is now captured by the new measure of "# of trainings or information sessions conducted for state and local government stakeholders."
	# of "disability awareness training for managers" sessions co-facilitated as needed to assist the Office of Diversity and Equal Opportunity's efforts to implement the Model Employer Initiative	Deletion: The information provided by this measure is now captured by the new measure of "# of trainings or information sessions conducted for state and local government stakeholders."
	# of information sessions conducted for members of the General Court	Deletion: The information provided by this measure is now captured by the new measure of "# of trainings or information sessions conducted for state and local government stakeholders."
	# of requests received for the Reasonable Accommodation Capital Reserve Account (RACRA)	Deletion: While MOD embraces, promotes, and administers the RACRA, the number of RACRA requests received is not within MOD's control.

GOAL	ACTION OR MEASURE	CHANGE, ADDITION OR DELETION EXPLANATION
	# of not budget-dependent initiatives in the IT Accessibility Roadmap that are rolled-out on schedule	Deletion: While MOD collaborated on the development of the IT Accessibility Roadmap, the implementation of initiatives outlined in the Roadmap are not within MOD's sole control.
	# of instances where MOD is a resource to the Executive Branch to test and evaluate the accessibility of enterprise-wide or agency-specific software programs	Change: Metric now reads: "# of instances where MOD is a resource to the Executive Branch on Information Technology-related matters." This language better captures the full scope of IT-related technical assistance that MOD provides.
Better customer service	% of new callers that receive a return phone call within 24 business hours.	Addition: As we began to collect data, MOD realized that adherence to this long-standing customer service policy was not captured in our existing measures.

MEASURE DESCRIPTIONS

GOAL	MEASURE	DESCRIPTION
Better state and local government compliance with disability policy	# of instances of technical assistance provided to the ADA Coordinators, Executive Branch managers, and/or legislative staff regarding their disability-related responsibilities	This measure tracks the number of instances in which MOD provides technical assistance to fellow government officials. As the Commonwealth's ADA coordinating agency, MOD offers technical assistance and ongoing support to the ADA Coordinators and senior managers across state government. Historically, the two most frequent areas of technical assistance are employment and programmatic access to services and programs.
	# of systemic and/or critical issues addressed that result in enhanced compliance with disability policy	This measure tracks the number of systemic and/or critical issues addressed by MOD that result in enhanced compliance with disability policy. Critical issues are defined as those issues arising from government operations that would disenfranchise persons with disabilities and/or be likely to spur litigation against the Commonwealth.
	# of trainings and information sessions conducted for state and local government stakeholders	This measure tracks the number of trainings and information sessions conducted for state and local government stakeholders. Replacing several training-related measures listed in MOD's strategic plan, this consolidated measure tracks the training that MOD provides to state and municipal officials.
	# of board and task forces meetings attended by MOD	This measure tracks the number of board and task force meetings attended by MOD personnel. MOD sits on over 25 Boards and Commissions to ensure the rights of persons with disabilities are included in the decision-making processes inside and outside of state government.

GOAL	MEASURE	DESCRIPTION
	# of instances where MOD is a resource to the Executive Branch on Information Technology-related matters	This measure tracks the number of instances in which MOD is a resource to the Executive Branch on Information Technology related-matters. The Commonwealth regularly implements upgrades to technology or new programs that are intended to be used by all citizens. It is the goal that these programs can be independently accessed by all intended users.
Better engagement with the disability community	# of Community Access Monitor Trainings held	This measure tracks the number of Community Access Monitor trainings held. The Community Access Monitor program is nationally-recognized and trains individuals on rights and responsibilities afforded to people under state and federal disability laws. Trained volunteers have proven to be highly effective in coordinating advocacy efforts within their local communities.
	# of people trained at Community Access Monitor Trainings	This measure tracks the cumulative number of people trained at Community Access Monitor sessions.
	# of Emergency Preparedness meetings held	This measure tracks the number of emergency preparedness meetings held by MOD. As a Co-Chair of the Commonwealth's task force to evaluate the state of emergency preparedness for people requiring additional assistance, MOD learned that people with disabilities did not fully appreciate their role in being personally prepared and that local emergency planners were not including people with disabilities in the design and review of emergency plans. In response, MOD developed an outreach program to bring these groups together to improve relationships and enhance communication.
	# of people included in Emergency Preparedness meetings	This measure tracks the cumulative number of people who attended a personal preparedness meeting.

GOAL	MEASURE	DESCRIPTION
	# of site visits with accompanying reports produced	This measure tracks the number of site visits that MOD's Community Services Program conducts to assess architectural accessibility. At the request of community members, municipal representatives, or business owners, MOD conducts architectural assessments of buildings and facilities based on both state and federal laws to ensure that they are accessible to and usable by persons with disabilities.
	# of Commission on Disability Meetings attended to provide in-person technical assistance	This measure tracks the number of municipal Commission on Disability meetings that MOD personnel attend to provide technical assistance. M.G.L. Chap. 40, Sec. 8J authorizes municipalities to establish Commissions on Disability by a vote of Town Meeting (in towns) or City Council (in cities) to promote the inclusion and integration of persons with disabilities in the activities, services and employment opportunities in the community. MOD is the primary technical advisor to these commissions.
Better support and advocacy for people with disabilities	# of information and referral services provided	This measure tracks the number of instances of information and referral services provided. MOD's information & referral services facilitate access to resources and enhance the quality of life of persons with disabilities.
	# of instances in which advocacy is performed to resolve disability-related denial of service issues and/or disability discrimination	This measure tracks the number of instances in which advocacy is performed by MOD to resolve a disability-related denial of service issue and/or disability discrimination. Some of the requests MOD receives pertain to disability-related denial of service issues and/or allegations of disability discrimination that cannot be resolved easily. Advocates attempt first to resolve the reported problems through informal advocacy. If an issue cannot be resolved informally, an advocate may represent an individual at an administrative hearing and/or represent them through an administrative discrimination complaint process.

GOAL	MEASURE	DESCRIPTION
	# of client interactions that resulted in resolution of a systemic accessibility barrier external to state government	This measure tracks the number of client interactions that result in a resolution of a system accessibility barrier that is external to state government. Periodically, the advocacy efforts surrounding disability-related denial of service issues and/or disability discrimination outside of state government results not only in resolving the Client's instant issue, but also a broader, systemic issue that will impact other persons with disabilities.
	# of referral services and advocacy performed to assist clients of the Commonwealth's vocational rehabilitation agencies through the federally-mandated Client Assistance Program	This measure tracks the number of instances in which MOD provides referral services and/or advocacy to assist clients of the Commonwealth's vocational rehabilitation agencies through the Client Assistance Program. MOD houses the federally mandated and funded Client Assistance Program, which specifically addresses information and advocacy concerns about the functioning of federally funded Vocational Rehabilitation (VR) and Independent Living Programs (IL). This program facilitates enhanced vocational rehabilitation services for individuals with disabilities, which enables many to find and maintain employment.
	# of outreach sessions for Client Assistance Program at various entities that work with Vocational Rehabilitation (VR) consumers	This measure tracks the extent of outreach that MOD engages in at various entities that work with Vocational Rehabilitation consumers regarding the Client Assistance Program. MOD meets with VR agency and Independent Living Center staff, community college staff, 4-year college staff, and other stakeholders to provide information about the Client Assistance Program. The goal of these outreach efforts is to establish relationships that will enable the Client Assistance Program to be even more proactive in assisting clients to further achieve their goal of becoming employed.
Better customer service	% of performance evaluations that are positive from all trainings conducted	This measure tracks MOD's performance as perceived by attendees at trainings which MOD conducts. MOD distributes a multi-question, evaluative survey at each training it conducts and expects that each question will garner positive responses at least 90% of the time.

GOAL	MEASURE	DESCRIPTION
	% of performance evaluations that are positive from all clients for whom advocacy is performed	This measure tracks MOD's performance as perceived by clients for whom MOD has performed advocacy. At the close of each advocacy case, the client is sent a multi-question survey soliciting their feedback on their experience with the agency. MOD expects each question related to its efforts (as opposed to the client's outcome) to garner positive responses at least 90% of the time.
	% of new callers that receive a return phone call within 24 business hours	This measure tracks whether all new callers to MOD receive a return phone call within 24 business hours. MOD believes that all new callers should receive a response within 24 business hours.